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Practice Limited to
Federal Agencies

September 30, 2004

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Art Unit 1614

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/648,786; Filed: August 27, 2003

For: **DEATH DOMAIN CONTAINING RECEPTOR- 4** 

Inventors: Ni et al.

Our Ref:

1488.130000B/EKS/EJH/M-K

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Second Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97(b);
- 2. A listing of the cited documents on form PTO-1449;
- 3. Copies of the cited documents (AT7, AR8, AS8, AT8, AR9); and
- 4. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents September 30, 2004 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

36,688

Elizabeth J. Haanes, Ph.D.

Attorney for Applicants

Registration No. 42,613

EJH/jk Enclosures

316369

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In reapplication of:

Ni et al.

Appl. No.: 10/648,786

Filed: August 27, 2003

For: Death Domain Containing

Receptor 4

Confirmation No.: 5264

Art Unit: 1614

Examiner: To be assigned

Atty. Docket: 1488.130000B/EKS/EJH/M-K

## Second Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97(b)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed on April 12, 2004 in connection with the above-captioned application. Copies of the documents are submitted herewith.

Applicants are aware that the first filing date related to the above case is 1997, which would imply that all documents published in 1996 and later should have the month listed as well. However, Applicants would like to bring to the Examiner's attention documents AT7, Chantry, D., and AS8, Marsters, S.A., for which the month of publication could not be determined.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates

should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Elizabeth J. Haanes

Attorney for Applicants

Régistration No. 42,613

D-4--

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SEP 3 0 2004 FORM PTO- 49 SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO. 1488.130000B/EKS/EJH/M-K FIRST NAMED INVENTOR

APPLICATION NO. 10/648,786

Page 1 of 3

Ni et al.

FILING DATE

ART UNIT

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	АМ						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes
		OTHER (Include	ding Autho	or, Title, Date, Pertine	nt Pages, etc.)	<u> </u>	No
	AR						
	AS						
	АТ	7 Chantry, D., "Turn (1999)	our necrosis	s factor antagonists," <i>Em</i> e	erging Drugs 4:5-13,	Ashley Public	cations Ltd
EXAMINER	L				DATE CO	NSIDERED	

**EXAMINER**: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant. 314315\_1.DOC

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## SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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ATTY. DOCKET NO.
1488.130000B/EKS/EJH/M-K

FIRST NAMED INVENTOR
Ni et al.

FILING DATE
August 27, 2003

APPLICATION NO.
10/648,786

ART UNIT
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				U.S. PATE	NT DOCUMENTS			
EXAMINER INITIAL		DO	CUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
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	AL							Yes No
	AM							Yes No
	AN							Yes No
	AO							Yes No
	AP AP						Yes No	
	OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	AR	<u>8</u>	Kim, K., et. al., "Molecular determinants of response to TRAIL combined with chemotherapy in killing of normal cancer cells," <i>Proceedings of the American Association for Cancer Research Annual Meeting</i> 40:486, 90 <sup>th</sup> Annual Meeting of the American Association for Cancer Research (April 1999)					
	AS	<u>8</u>	Marsters, S.A., et. al., "Control of Apoptosis Signaling by Apo2 Ligand," Recent Progress in Hormone Research 54:225-234, The Endocrine Society (1999)					
	АТ	<u>8</u>	International Search Report for International Application No. PCT/US 98/01464, European Patent Office, Netherlands, mailed on June 17, 1998					
EXAMINER						DATE CO	NSIDERED	

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	AR	9	Supplementary Partial European Search Report for European Application No. EP 00 93 2061, European Patent Office, Netherlands, completed on August 23, 2004					
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	АТ							
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